



Order Filed on May 30, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-2(e)**

**ABELSON & TRUESDALE, LLC**

**BRUCE C. TRUESDALE, P.C.**

**147 Union Avenue \* Suite 1E**

**Middlesex, New Jersey 08846-1063**

**By: Bruce C. Truesdale, Esq. (BT 0928)**

**(732) 302-9600**

**Attorney for the Debtor**

**In Re:**

**STEVEN JONES**

**Case No.: 13-30816**

**Adv. No.:**

**Hearing Date:**

**Judge: Kathryn C. Ferguson**

**CONSENT ORDER TO RESOLVE MOTION FOR STAY RELIEF AND TO REINSTATE THE  
AUTOMATIC STAY AND TO RESERVE DEBTOR'S RIGHT TO OBJECT TO ATTORNEY FEES  
BEING CHARGED BACK TO DEBTOR BY MOUNTAINVIEW AT GREENBROOK  
CONDOMINIUM ASSOCIATION, INC. AND GRANTING RELATED RELIEF**

The relief set forth on the following pages, number two (2) through two (2), is hereby **ORDERED**.

**DATED: May 30, 2018**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

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**THIS CASE**, having been filed in the District of New Jersey and having been assigned to The Honorable Kathryn C. Ferguson, Trenton Vicinage, and counsel for Mountainview at Greenbrook Homeowner's Association, Inc. (hereinafter "the Association") and counsel for the Debtor Steven Jones having agreed that the Association's Motion for Stay Relief will be resolved and that the Automatic Stay will be reinstated and in addition, the Debtor's right to object to the attorney fees being charged back to debtor by the Association will be reserved and the Court, after reviewing the submissions and record and being advised that this Order is entered into with the consent of the parties, makes the following:

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. This underlying bankruptcy case was commenced by the filing of a petition with the Clerk of this Court on September 24, 2013.
2. The debtor's "common charge" is \$175.00 (it had been \$137.00 and then 162.00).
3. A Certification of Default was filed by the Association on 10/17/17.
4. Attached to the Motion for Relief is a partial copy of debtor's Statement of Account.
5. Included on the Statement of Account are Common Charges, Late Fees, "fines," assessments and legal fee chargebacks totaling \$19,645.28 for the period December 2015 to October 2017.
6. The parties have agreed to resolve the instant Motion and to reinstate the Automatic Stay and the debtor reserves the right to object to and argue other charges contained on the Statement of Account, as necessary, at a later date.
7. It is agreed that the Association and debtor will settle the instant motion for Stay Relief and Reinstate the Automatic Stay by the debtor's immediate tendering of \$5,496.80, representing balance owing, maintenance fees from May 2017 to October 2017, late fees and legal fees related to work performed June 2017 to October 2017. (Monies have been tendered).
8. It is agreed that the debtor reserves the right to object to legal fees charged back, "fines, late charges and assessments" on his Statement of Account.
9. It is agreed that the debtor reserves his right to object to attorney fees charged back to his account by Mountainview At Greenbrook Condominium Association, Inc.

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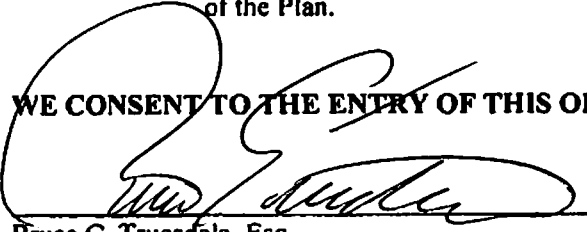
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10. The Debtor will continue to make his post-petition condominium association payments outside the Plan.
11. The parties consent to the entry of this Consent Order and are properly before this Court, and this Court has proper jurisdiction over this proceeding.

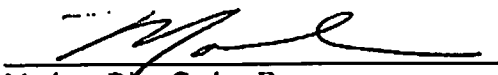
**BASED UPON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, AND  
BY AND WITH THE CONSENT OF THE PARTIES, IT IS HEREBY ORDERED, ADJUDGED  
AND DECREED AS FOLLOWS:**

1. The Motion for Stay Relief will be settled and the Automatic Stay Reinstated by the debtor's immediate payment of \$5,496.80 to be paid from his Counsel's Trust Account (monies have been tendered).
2. The right of the debtor to object to legal fees charged back, "fines, late charges and assessments on the Statement of Account be and hereby is reserved.
3. The Debtor will continue to make his post-petition condominium association payments outside of the Plan.

**WE CONSENT TO THE ENTRY OF THIS ORDER:**

  
Bruce C. Truesdale, Esq.  
Attorney for the Debtor

Date: 5/16/18

  
Marlena Díaz-Corbo, Esq.  
Counsel for Mountainview at Greenbrook  
Homeowners Association, Inc.

Date: 5/16/18